

EXHIBIT 4

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SANTEYA DANYELL WILLIAMS;)
MARY RUTH SCOTT; KAREN)
LATREECE COLEMAN; PRISCILLA)
BUNTON, and ALYCE DENISE PAYNE,)
on behalf of themselves and all)
others similarly situated,)
)
 Plaintiff,)
)
 vs.)
)
CITY OF ANTIOCH,)
)
 Defendants.)

)

NO. C08-02301 SBA

DEPOSITION OF MAYOR DONALD FREITAS

WALNUT CREEK, CALIFORNIA

JUNE 15, 2009

REPORTED BY:

Cynthia Bynum Palmer

CSR NO. 3556

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SANTEYA DANYELL WILLIAMS;)
MARY RUTH SCOTT; KAREN)
LATREECE COLEMAN; PRISCILLA)
BUNTON, and ALYCE DENISE)
PAYNE, on behalf of)
themselves and all others)
similarly situated,)
)
Plaintiffs,) No. C08-02301 SBA
)
vs.)
)
CITY OF ANTIOCH,)
)
Defendants.)
_____)

Deposition of MAYOR DONALD FREITAS
taken on behalf of the plaintiffs
at McNamara, Dodge, Ney, Beatty,
Slattery, Pfalzer, Borges &
Brothers, LLP, 1211 Newell Avenue,
Walnut Creek, California, beginning
at 10:09 a.m. and ending at 4:35 p.m.
on Monday, June 15, 2009, before
Cynthia Bynum Palmer, CSR No. 3556

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2 APPEARANCES:

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4 FOR THE PLAINTIFFS:

5 LAWYERS' COMMITTEE FOR CIVIL RIGHTS
6 By: Oren Sellstrom, Esq.
7 Kendra Fox-Davis, Esq.
8 Priscilla A. Ocen, Esq.
131 Steuart Street, Suite 400
San Francisco, California 94105

9 FOR THE DEFENDANT:

10 McNAMARA, DODGE, NEY, BEATTY, SLATTERY,
11 PFALZER, BORGES & BROTHERS, LLP
By: Thomas Beatty, Esq.
Howard Patrick Sweeney, Esq.
12 1211 Newell Avenue
13 Walnut Creek, California 94596

14 VIDEOGRAPHER: Sean Grant
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1 THE VIDEOGRAPHER: Good morning. Here begins
2 the deposition of Mr. Donald Freitas in the matter of
3 Santeya Danyell Williams versus City of Antioch. This
4 case is filed in the United States District Court,
5 Northern District of California, and the case number is
6 C08-02301-SBA. Today's date is June 15, 2009, and the
7 time is 10:09 a.m. This deposition is taking place at
8 McNamara, Dodge, Ney, Beatty, Slattery, Pfalzer, Borges &
9 Brothers, located at 1211 Newell Avenue, Walnut Creek,
10 California, 94596, and is being taken on behalf of the
11 plaintiffs.

12 The reporter is Cindy Palmer, appearing on
13 behalf U.S. Legal Support.

14 The videographer is Sean Grant, also appearing
15 on behalf of U.S. Legal Support.

16 Counsel, please identify yourselves and state
17 whom you represent.

18 MR. SELLSTROM: Good morning. Oren Sellstrom
19 from the Lawyer's Committee of Civil Rights representing
20 plaintiffs.

21 MS. FOX-DAVIS: Kendra Fox-Davis from the
22 Lawyers' Committee for Civil Rights representing the
23 plaintiffs.

24 MS. OCEN: Priscilla Ocen from the Lawyers'
25 Committee for Civil Rights representing plaintiffs.

1 MR. SWEENEY: Howard Patrick Sweeney, McNamara
2 Law Firm, representing the defendant.

3 MR. BEATTY: Oh, Tom Beatty representing the
4 defendant from the McNamara law firm.

5 THE VIDEOGRAPHER: Would the reporter please
6 swear in the witness.

7 MAYOR DONALD FREITAS,
8 having been first duly sworn, was examined and testified
9 as follows:

10 THE VIDEOGRAPHER: Counsel?

11 EXAMINATION BY MR. SELLSTROM

12 Q Good morning, Mr. Freitas.

13 A Good morning.

14 Q Have you ever been deposed before?

15 A Yes.

16 Q How many times?

17 A Several.

18 Q Several?

19 A Several.

20 Q Several.

21 Have you had a chance to review -- review
22 general deposition practice with your attorney?

23 A Umm, yes.

24 Q Okay. Well, let me go over some of the ground
25 rules even though if you've been deposed before. You may

1 Q Yes.

2 A I don't know how common it was. I mean you
3 would hear it in -- in public testimony.

4 Q And is that -- is that a sentiment that you
5 heard escalating throughout the time period from 2000,
6 2008?

7 A Was it mentioned during that period of time?
8 The answer is yes, it was escalating. It was always a
9 simply a part that the City of Antioch had a
10 disproportionate share of Section 8 vouchers.

11 Q And, as you understood it, what was the -- what
12 was the problem with that that constituents were raising?

13 A I think many -- many citizens believe that
14 individuals who were in Section 8 housing were actually
15 either perceived or real, increasing crime in the city.

16 Q And from your conversations with constituents
17 about a concern that Antioch had a disproportionate share
18 of Section 8 rentals, were there other concerns that
19 constituents had that led them to believe that was a
20 problem other than some that believed that Section 8 was
21 increasing crime?

22 A I'm -- what's the -- I'm not sure I understand
23 what the question is.

24 Q Let me rephrase that question.

25 You said that the -- when you would hear

1 comparison to other neighboring jurisdictions?

2 A Umm, if -- if you include cities like Lafayette,
3 Orinda, Moraga, Walnut Creek as neighboring cities, my
4 answer would be yes. I believe that, you know, there was
5 an equity -- equability question and that all
6 communities, you know, should be responsible for
7 providing services in their communities.

8 Q So you shared the -- some of the concerns that
9 your constituents brought to you about Antioch having
10 more than its fair share of Section 8?

11 A Again, what -- what's the question?

12 Q You shared some of the concerns that
13 constituents brought to you that Antioch had more than
14 its fair share of Section 8?

15 A Did I agree with some of 'em that Antioch had
16 more than its fair share? The answer is yes.

17 Q And why did you see that as a problem?

18 A Because I believe that you need to be equitable
19 in the administration of all public programs and that all
20 cities should be responsible for implementing social
21 programs in their communities. It should not just be to
22 a few cities; it should be all 19 cities.

23 Q What did you view as the cost to the city of --
24 if any, of having more Section 8 in proportion to its
25 population than Lafayette or Orinda?

1 Q And in terms of the -- the comments that you
2 heard from constituents, is it fair to say that that
3 that's not atypical of what you just heard there with --
4 with people talking specifically about Section 8 being
5 disproportionate in the city of Antioch?

6 A Did you say it was not typical?

7 Q Not atypical.

8 A That it was not atypical. Umm --

9 Q That's a --

10 A I guess --

11 Q A lawyer --

12 A I guess I'm reluctant to answer your question
13 cuz I'm not sure exactly what you're asking.

14 Q I know I believe I objected in earlier
15 deposition to your counsel using double negatives, so
16 I'll -- let me try and rephrase to make it more clear.

17 Is it fair to say that that concern that was
18 just voiced in the clip we saw was typical of the
19 concerns that you heard from constituents coming to you
20 and saying, "We think Antioch has more than its fair
21 share of Section 8"?

22 A Yes. That was more typical.

23 Q Do you recall responding to those complaints by
24 saying in words or in substance that you agree that
25 that's a big issue, you don't feel it's fair, equitable;

1 "We think we're taking the lion's share. We don't like
2 it"?

3 A I don't think we ever said we were taking the
4 lion's share. All right. I think the earlier numbers
5 that you talked about Antioch having the population of
6 10,000 (sic) and a section at that time was 16,- I don't
7 think that's the lion's share of Section 8 vouchers in
8 our community.

9 The argument that I was putting forth was it
10 wasn't equitable, that other communities -- like this
11 particular woman that said that there's no Section 8 in
12 Orinda. Why not?

13 MR. BEATTY: Did you mean 10 percent?

14 THE WITNESS: 10 percent for the population,
15 16 percent, you know, for Section 8.

16 MR. SELLSTROM: Let me slow you another clip,
17 I'm sorry to do this, Tom, but if I could get you to turn
18 off the lights and we'll show you a clip which is a -- a
19 continuation of the clip that we were just watching, the
20 same disk, umm, and it continues at -- from where we left
21 off until approximately 11 minutes, 18 seconds.

22 MR. BEATTY: I thought that's where we --

23 (Disk played)

24 Q (By Mr. Sellstrom) Does that refresh your
25 recollection --

1 A Sure.

2 Q -- in the clip that you just saw?

3 Okay. And you were -- you were responding there
4 to a woman who was questioning why Antioch has more
5 Section 8 than neighboring jurisdictions. Correct?

6 A Yes.

7 Q And your words were, "That's a big issue. We
8 don't feel it's fair, equitable. We think we're taking
9 the lion's share. We don't like it." Correct?

10 A I think that's correct (Indicating.)

11 Q And who did you mean by "we" when you were
12 saying that?

13 A "We" would be the City of Antioch.

14 Q Did you also, umm, have issues with the
15 Association of Bay Area Governments assigning what you
16 felt was too much low income housing to the city?

17 A Yes, as well as most of the cities in
18 Contra Costa County, which if you look at the paperwork,
19 you'll find that most of them, umm, have -- have problems
20 with -- with ABAG's projections.

21 Q And ABAG is -- is the acronym for Association of
22 Bay Area Governments?

23 A Yes.

24 Q And what is the process for assigning low income
25 housing to particular jurisdictions?

1 Did you ever hear concerns from your
2 constituents that Section 8 voucher holders were living
3 in homes with high property values?

4 A Did I hear -- hear of them?

5 Q (Nods head.)

6 A Yes.

7 Q And was that a -- would you call that a -- a
8 common issue that came up in your discussions --

9 A No.

10 Q -- with constituents?

11 You heard it more than once?

12 A Okay. I heard it more than once.

13 Q Several times? I'm trying to get your best
14 estimate of -- of -- you said it -- I'm trying to get
15 your best estimate of -- of is this something that you
16 would hear on a regular basis, is this something that you
17 heard once or twice? Sort of where in that range did it
18 fall?

19 A Very infrequent basis.

20 Q Can you recall specific instances when you had
21 that discussion with constituents about Section 8 renters
22 living in homes that were -- had high property values?

23 A I believe it came up in some of the public
24 testimony at the quality-of-life issues.

25 Q Do you have any recollection as you sit here

1 today of other conversations that you had with
2 constituents about this issue?

3 A I -- I don't have any specific recall.

4 MR. SELLSTROM: Let me go ahead and show you one
5 of the clips. This is actually from the same exhibit,
6 which is the September 16th, '06 Quality of Life Forum.
7 It's the same exhibit that's going to be marked as
8 Exhibit 51. It begins right after the last clip that we
9 showed which is at approximately 11 minutes, 18 -- 18
10 seconds into the -- let's see. Into the disk.

11 We can go ahead and show it.

12 (Disk played)

13 Q (By Mr. Sellstrom) So you had constituents that
14 were infuriated by Section 8 tenants living in expensive
15 homes. Correct?

16 A Yes.

17 Q And was that clip that we heard typical of the
18 comment, that you would receive from people who voiced
19 that concern to you?

20 A The -- typical, yes.

21 Q And when you listened to that clip did you hear
22 the applause that was generated by that gentleman's
23 comment?

24 A Yes.

25 Q And as an elected official who is taking public

1 comments does that suggest to you that there are other
2 people in the audience that agree with the sentiment that
3 was being voiced?

4 A I think there -- I think that's what it denotes.

5 Q And that quite a few people agreed with that
6 sentiment. Is that fair to say?

7 A That I don't know. It was a large -- large
8 audience. How many were clapping, I couldn't tell ya.

9 Q And did you -- and then you agreed with that
10 sentiment as well, didn't you, that it was not right for
11 Section 8 tenants to be living in expensive properties?

12 A No. I -- no, that's not my position.

13 Q That's never been a concern that you voiced?

14 A Have I voiced? Yeah, I voiced it. I think
15 there's -- the Chief of Police actually in one of his
16 presentations showed a Section 8 house and in a very
17 affluent portion of the city.

18 Q And -- but that was of no concern to you?

19 A Was it a concern? Sure, it was a concern,
20 but --

21 Q Why was it a concern?

22 A Why?

23 Q Why.

24 A Because I think some of the questions that came
25 up is -- you know, was that fair, was that equitable.

1 That's --

2 Q And did you think that was fair and ethical?

3 A What -- what what was fair and equitable?

4 Q That there were Section 8 voucher holders living
5 in houses that had high property values.

6 A Did I -- I'm not -- I'm sure at this point, you
7 know, if I felt that was overly fair or consistent. It
8 raises issues, you know, in the community for those
9 individuals who are not Section 8 voucher holders and not
10 having the ability to live in the same style housing.

11 Q And did it raise those same issues for you?

12 A Did they -- it did raise issues for me. It's --
13 you know, I -- I did wonder, you know, how that occurred.

14 Q And did you believe there was something
15 unethical about that?

16 A Unethical? No.

17 Q Unfair?

18 A Unfair? Yes.

19 Q And what did you believe was unfair about that?

20 A I think the disparity between, you know, an
21 individual who has a Section 8 voucher living in a
22 million plus dollar home versus a lot of individuals who
23 both spouses are working, have children, and couldn't
24 possibly afford to live in a similar house.

25 Q So is it fair to say that you understood your

1 increase in crime and blight?

2 A I -- I really don't know. I mean I really --
3 it's difficult to answer that. I mean if you ask me, you
4 know, if Section 8 is broadly interpreted and applied
5 that it's rental housing, my answer is yes, rental
6 housing I believe is a cause for increased crime and
7 blight.

8 Q And my question was specifically about
9 Section 8, and -- and I understand your answer to that
10 question about whether you believe that increase in
11 Section 8 is a cause of increase in crime and blight to
12 be, you don't know. Is that correct?

13 A Yeah. I'm -- haven't really seen anything that
14 looks at the overall rental properties. I don't know if
15 Section 8 is more or less, the same. I don't know what
16 the causes are, but generally speaking I believe rental
17 property does provide some -- an increase in crime and
18 blight.

19 Q Did you ever ask for information that would help
20 answer that question for you as to whether Section 8
21 housing led to increased crime and blight?

22 A I think my recollection is that the
23 City of Antioch requested information from HUD with
24 regards to the Section 8 recipients and the answer that
25 came back was that we -- they were -- HUD was not going

1 to give us that information due to confidentiality, so
2 when a police officer responds, the police officer
3 doesn't know if it's an owner-occupied home, if it's a
4 rental, if it's Section 8, or any other arrangements.
5 They just get a call to go to a particular residence or a
6 business or retail center or commercial establishment.

7 Q And when you were referring to information that
8 the City of Antioch asked for from HUD, are you referring
9 to lists of Section 8 tenants?

10 A Yes.

11 Q And other than the city asking for lists of
12 Section 8 tenants, did the city to your knowledge do
13 anything else to try and answer the question as to
14 whether an increase in Section 8 housing in Antioch was
15 leading to an increase in crime and blight?

16 A I think the Police department simply kept
17 statistics and records and facts, and they just speak for
18 themselves.

19 Q And do you recall any conclusions that were
20 drawn one way or another from those statistics and
21 records?

22 MR. BEATTY: By whom?

23 THE WITNESS: By whom?

24 MR. BEATTY: Yeah.

25 THE WITNESS: By me?

1 Q (By Mr. Sellstrom) Yes.

2 A Do I recall what my --

3 Q Let me ask the question again.

4 As I understand it, you were saying that the
5 police department keeps statistics and records. My
6 question was do you recall anyone, whether it's from the
7 police department or anyone else in the city, looking at
8 those statistics and records and drawing any conclusions
9 from them about whether an increase in Section 8 housing
10 leads to an increase in crime and blight?

11 A I think the earlier document that you showed
12 with Chief Hyde, those overheads do show you factual
13 information that the police department collected, and
14 again, I think with rental property there is an increase
15 in crime and blight.

16 Q Okay. And other than what you've already
17 testified to, do you know whether the city did any other
18 investigation as to whether in particular Section 8
19 housing led to increased crime and blight?

20 A I -- I don't know. I don't have a recall.

21 Q You used a quote from the movie, "Network" a few
22 times to describe how constituents felt about Section 8.
23 Do you recall that?

24 A Yes.

25 Q And what was that quote?

1 THE WITNESS: Yeah. I think citizens did have
2 that perception.

3 Q (By Mr. Sellstrom) And did you have that
4 perception?

5 A No.

6 Q Is it fair to say that the CAT team's creation
7 was something that you were able to point to when
8 constituents came to you and said, "We're frustrated
9 about what is going on with Section 8"?

10 A Well, let me -- let me be clear about something.
11 The City of Antioch has community policing, and the --
12 the creation of the Community Action Team was by
13 Chief Hyde. The city council tries as much as possible
14 not to micro-manage, you know, it's staff, and I think
15 that the uproar that was occurring in our community,
16 particularly as it related to crime, all crime, was the
17 reason why Chief Hyde devoted, you know, the several
18 officers to be completely focused on issues that were
19 occurring in the neighborhoods.

20 Q And as mayor is the CAT team's creation
21 something that you pointed to when constituents came to
22 you asking, "What are you doing about the Section 8
23 problem"?

24 A Yes.

25 Q Let me -- let me back up. I wanted to ask you

1 A I just don't recall.

2 Q Okay. Do you -- do you think that race played
3 any part in the tensions in the City of Antioch around --
4 that were discussed in the Quality of Life Forums?

5 A Do I believe that race was a cause?

6 Q Played any -- played any role.

7 I mean is it -- is it fair to say that --

8 A Do I believe there are citizens in Antioch who
9 are racist? Yes.

10 Q And what do you base that belief on?

11 A Oral comments. You have copies of the
12 Quality of Life Forums. Some of the statements coming
13 from the citizens I think you -- a normal, prudent
14 individual would say they are racist or tinged with
15 racism.

16 Q And did you have -- did you have one-on-one
17 conversations with people that you came away with the
18 same impression?

19 A That I came away -- from their perspective?

20 Q You had talked about you heard comments in
21 public forum, in public fora that you took to be racist
22 or tinged with racism. Correct?

23 A Yes.

24 Q And this is specifically in terms of issues that
25 were being raised around Section 8. Right?

1 that has language that -- that you said "affirmative
2 action loopholes" is racially tinged?

3 A Right.

4 Q And I'm asking you if you heard comments from
5 constituents of yours around the Section 8 program that
6 were similar to the comments being made here in the
7 New York Times article.

8 A No. I mean gross community over development,
9 that portion, yes, one of the issues the city has had to
10 deal with over the years is the rate of growth, but I'm
11 not sure that that's a -- a racist issue. I mean
12 "affirmative action loopholes" to me is a racist --
13 racially tinged comment.

14 Q Did you hear in -- in public forums or
15 discussions with constituents people concerned about
16 Antioch not becoming another Richmond or Oakland?

17 A Yes.

18 Q Was it your -- was that something that you heard
19 frequently?

20 A Frequently? I -- I heard it expressed, I don't
21 know, several times, you know, in public forums from our
22 own council members, so I don't know how many times, but
23 was it mentioned? The answer's yes.

24 Q And is it your understanding that Richmond and
25 Oakland have higher African American populations than

1 THE WITNESS: The second paragraph.

2 Q (By Mr. Sellstrom) I'm sorry?

3 A You asked me -- that's the second paragraph.
4 That's what I believe UCBN was created for.

5 Q Okay. Do you recall seeing opp eds from Gary
6 Gilbert that specifically focused on Section 8?

7 A I know that he wrote and articles appeared in
8 the local newspapers. Yes.

9 Q And were you aware that Gary Gilbert linked
10 increase in Section 8 to increase in crime?

11 A Did I -- do I believe that Gary Gilbert linked
12 them? Yes, I --

13 Q Do you know whether did he?

14 A I think that was part -- yes.

15 Q Okay. And I think you testified earlier that
16 you yourself didn't know whether that was true or not.
17 Is that right? Whether or not there was that linkage
18 between increase in Section 8 and increase in crime.

19 A No. I think my testimony was that when you have
20 rental property, of which Section 8 is rental property,
21 there is an increase in crime and blight.

22 Q Right. But that you don't know whether --

23 A Do I have statistics? No, I do not have
24 statistics. It's -- it's just perception.

25 Q And you don't know whether Section 8 is -- not

1 just all rental property, but specifically Section 8 is a
2 link to increased crime. Right? You don't know one way
3 or other?

4 A Right. I don't know if a house is a Section 8
5 house, I don't know if it's, you know, owned by a
6 specific person or rental. I have no knowledge if a
7 house is or is not a Section 8 house unless someone tells
8 me and verifies that it is.

9 Q Did you ever have a conversation with
10 Gary Gilbert about -- and ask him for why he believed
11 there to be a link between Section 8 and -- increased
12 Section 8 and increased crime?

13 A I don't recall having a conversation that --

14 Q I'm sorry. I just didn't hear you.

15 A I don't recall having that specific conversation
16 with him.

17 Q Did you think that was important to find out?

18 A Okay. You know, I guess I'm not making myself
19 clear. I believe all rental problems, all rental
20 problems, which include Section 8, have an increase in
21 crime and blight. Period.

22 Q And my question was whether the issue not of all
23 rental properties but of increased Section 8 leading to
24 increased crime was something that you felt as mayor of
25 Antioch was an important issue for you to find out about.

1 criminality in the neighborhoods and behavioral problems.
2 I think they've had a lot of very positive impacts in our
3 community. Parks that parents would never send children
4 to are now enjoyed by families, and I think that there
5 have been a lot of improvements and they are directly as
6 a result of the actions of the Community Action Team.

7 Q But in your mind the jury is still out as to
8 whether in doing that they treated people fairly and
9 equitably?

10 A I believe they treated fairly and equitably and
11 legally. I believe that that's true. Now you wouldn't
12 be suing us if you didn't -- if you didn't have a
13 question, so I believe the jury will still be out on that
14 until we resolve it.

15 MR. SWEENEY: We've been going for over an hour.
16 Is it a good time for a break?

17 MR. SELLSTROM: Sure.

18 THE VIDEOGRAPHER: Going off the record. The
19 time is 3:55 p.m.

20 (Off the Record)

21 THE VIDEOGRAPHER: Back on the record. The time
22 4:08 p.m.

23 Q (By Mr. Sellstrom) Looking again at Exhibit 60,
24 the Public Advocates Bay Area Legal Report, particularly
25 on page 3 of the report, which is Bate stamped No.

1 10,136, I want to ask you about another statistic that
2 was cited in the report in the second full paragraph
3 there, where it -- at the end of that paragraph that
4 reads, "Rather, Section 8 termination rates indicate that
5 a significantly higher rate of referrals to the
6 Housing Authority for termination that lack merit are
7 made with respect to a letter to White families." Do you
8 see that?

9 A It's kind of the second paragraph down?

10 Q That's right. The second full paragraph.

11 A I'm sorry. Where did you begin?

12 Q The word "Rather."

13 A All right.

14 Q Do you -- do you know whether that's true or
15 not?

16 A I have absolutely no idea if it's true or not.
17 I mean when I'm talking about "factual," to these
18 individuals the information I'm sure that's in this
19 document, to them, it's factual, but I actually have no
20 idea, you know, if this information is absolutely true
21 and correct.

22 Q And -- and did you do anything to find out if
23 that passage that I just read and that you just read
24 about a significantly higher rate of referrals to the
25 Housing Authority for termination that lack merit being

1 made with respect to African American families, did you
2 do anything to determine whether that was accurate or
3 not?

4 A Again, when I -- let me repeat myself. I think
5 this was a political hit piece, so quite frankly, I took
6 everything that I read with a grain of salt, not really
7 knowing if the information and what they assumed to be
8 facts are actually -- actually real or not.

9 Q And let me just repeat my question. I
10 understand you had some concerns about -- about what was
11 behind the report, and I'm asking you if you did any
12 investigation to determine whether the facts were
13 accurate or not.

14 A This was, obviously, provided to the city
15 manager, city attorney, the chief of police, and other I
16 assume impacted employees of the city, and I'm sure that
17 they went through this with a fine tooth comb, but I
18 don't have anything that would indicate if the
19 information that was contained in here was absolutely
20 true or not, so I didn't carry it any further cuz I think
21 what it was was a political hit piece, and I really did
22 not want to waste anybody's time going through a document
23 that from my perspective lacked, umm, voracity.

24 Q Although I think you testified you didn't know
25 whether that was the case or not, that it lacked

1 voracity. Correct?

2 A I absolutely said I don't know if the
3 information, what they assumed to be facts are actual
4 facts or not.

5 Q And did you ever hear back from anyone on the
6 staff about whether they had determined whether or not
7 the facts in the report were accurate or not?

8 A No.

9 Q Did you continue to approve funding for the
10 CAT team after this report came out?

11 A The Community Action Team, yes. When you say
12 me, I'm assuming you're talking about the entire city
13 council.

14 Q That's correct.

15 A Okay.

16 Q And the answer is "yes"?

17 A And the answer is yes.

18 Q Did you, "you" meaning the mayor, direct anyone
19 on staff to consider whether any changes to the CAT team
20 were appropriate in light of the report?

21 A No.

22 Q To your knowledge did anyone on the council
23 direct city staff to determine whether any changes to the
24 CAT team were appropriate given the allegations in the
25 report?

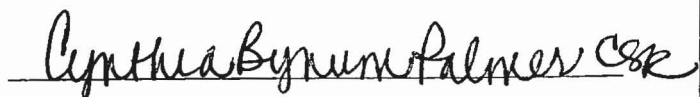
1 State of California)

2 County of Sacramento)

3
4 I, CYNTHIA BYNUM PALMER, CSR, hereby certify
5 that the witness in the foregoing deposition was by me
6 duly sworn to testify to the truth, the whole truth, and
7 nothing but the truth in the within-entitled cause; that
8 said deposition was taken at the time and place herein
9 named; that the deposition is a true record of the
10 witness's testimony as reported to the best of my ability
11 by me, a duly Certified Shorthand Reporter and
12 disinterested person, and was thereafter transcribed
13 under my direction into typewriting by computer; that the
14 witness was given an opportunity to read, correct, and
15 sign the deposition.

16 I further certify that I am not interested in
17 the outcome of said action nor connected with nor related
18 to any of the parties in said action nor to their
19 respective counsel.

20 IN WITNESS WHEREOF, I have hereunder subscribed
21 my hand this 25th day of June, 2009.

22
23 

24 CYNTHIA BYNUM PALMER, CSR 3556
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